

MINUTES OF REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
CITY OF FAIRFAX
CITY HALL, FAIRFAX, VIRGINIA
April 2, 2013

Members Present: John O'Brien Clarke Jr., Chairman
Ellen Brouwer
Edward Calabria
Robert Matthews
Gary Perryman

Staff Present: Michelle Coleman, Zoning Administrator and Monty Lowe, Deputy Zoning Administrator

1. Call to Order: Chairman Clarke called the meeting to order.

2. Opening of the Public Hearing: Chairman Clarke opened the public hearing at 7:00 p.m. and explained the procedure for the meeting.

3. Adoption of Agenda: Approved, 5:0

4. Public Hearing to reconsider SE-11050169 request of Daniel and Allison Vess, Property Owners, pursuant to City Code Sections 110-518 and 110-369, for a special exception to City Code Section 110-517(3) to reduce the front yard building restriction line to 10 feet where a 25-foot setback is required for construction of an addition (attached two-car garage) to the existing single-family detached residence in the R-3 Residential District on the premises known as 9811 Hampton Lane, and more particularly described as tax map parcel 58-1-((14))-006.

Mr. Lowe presented the staff report which has been incorporated into the record by reference. Mr. Lowe noted the change in the application changing the request to a 14 foot setback reduction where a 25-foot setback is required for construction of an addition. Staff recommends denial of the application.

The property owner, Daniel Vess addressed the Board and answered questions from members.

Discussion:

Mr. Perryman stated he would disapprove of the application. It is a corner lot and a line of sight issue.

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Mr. Matthews noted that other three foot setback reductions had been approved before but didn't see how such a big reduction could be approved.

Mr. Calabria took an opposing view. He had no issues with the fence or line of sight. He was willing to compromise from 10 feet to 14 feet which matched his previous position.

Mrs. Brouwer had an issue with the substantial reduction from 25 feet with the precedence setting moving to a 14 foot setback could have an impact with other homes on the street.

Mr. Clarke originally had a problem with going with the 10 foot setback reduction but felt like going to a 15 foot reduction would be okay so he was okay with a 14 foot reduction however felt they may be setting precedence.

The Board was going to vote to deny the application and asked the applicant if it was okay to have a one car garage with only a 7 foot encroachment which he agreed to.

At this time Mr. Calabria moved to approve the application SE-11050169, with the following conditions:

1. The applicant shall construct the proposed addition in substantial conformance with the plat for 9811 Hampton Lane dated June 29, 2000, as amended by the applicant and submitted with subject application and further revised to reduce the proposed garage to a 16-foot-wide one car garage.
2. The applicant shall ensure the garage addition is used principally for vehicle storage.
3. The applicant shall amend the elevations of the garage addition to depict brick or stone elements including but limited to a watertable that is compatible with the existing materials subject to review and approval by the Zoning Administrator.
4. The applicant shall install plant material along Queen Anne Drive or along the foundation to mitigate the reduced yard area and add to the residential character of the garage addition, subject to review and approval by the Zoning Administrator.

Mr. Matthews seconded the motion.
Motion Approved as Amended 4:1

5. Staff Comments - General discussion.

6. Board Comments - General discussion.

APPROVED: July 2, 2013

7. Adjournment - Meeting adjourned (7:45 pm)

ATTEST:

Alexis El-Hage, Secretary